

AUG 8 1985

CARL E. KINGSTON (1826)
Attorney for Petitioner
53 West Angelo Avenue
P.O. Box 15809
Salt Lake City, Utah 84115
Phone: (801) 486-1458

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH

	*	
CO-OP MINING COMPANY,	*	
Petitioner,	*	PETITION
vs,	*	Docket No. 85-051
DIVISION OF OIL, GAS AND MINING,	*	Cause No. ACT/015/025
Respondent,	*	
	*	

Comes now the Petitioner, Co-op Mining Company, and petitions the Board of Oil, Gas and Mining to review its Order dated July 31, 1984 and to make such further Order as may be necessary and appropriate, either extending petitioners interim permit or ordering the Division to issue petitioner its permanent permit. As grounds for such petition, petitioner alleges as follows:

1. Petitioner, Co-op Mining Company (Co-op), is a general partnership existing under the laws of the State of Utah.

2. Respondent, Division of Oil, Gas and Mining (Division) is an agency of the State of Utah, created and existing pursuant to the authority granted in Section 40-6-1 et seq., Utah Code Annotated (1953, as amended).

3. Jurisdiction over this matter is conferred upon the Board of Oil, Gas and Mining (Board) pursuant to the provisions of Sections 40-8-6 and 40-6-10, Utah Code Annotated (1953, as amended).

4. On July 31, 1984 the Board of Oil, Gas and Mining (the Board) ordered that Co-op would be allowed to continue operations under its interim mining permit for a period of one year from the date the Division determined that Co-op's application for a permanent permit was complete, subject to extension for good cause.

5. The Division determined Co-op's application to be complete on or about October 4, 1984.

6. The Board further ordered the Division to review all submittals of petitioner diligently and in a reasonable time and retained continuing jurisdiction over this cause.

7. The petitioner has diligently and expeditiously responded to each request of the Division to supply information and data relative to petitioner's application for a permit and petitioner reasonably believes that all requirements for obtaining a permit have been met or will be met before October 4, 1985.

8. Because of delays by the Division in reviewing Co-op's